

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION**

DOCKET NO. 3:06-CV-510-W

**DOROTHY M. LEE, Derivatively on
Behalf of FAMILY DOLLAR STORES,
INC.,**

Plaintiff,

vs.

HOWARD R. LEVINE, et al.,

Defendants.

**ORDER AND
NOTICE OF HEARING**

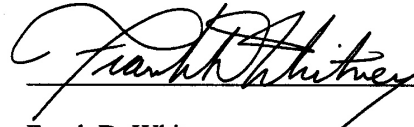
TAKE NOTICE that this matter is set for initial pretrial conference and hearing on plaintiff's motion to consolidate and to appoint co-lead plaintiffs and co-lead counsel (Doc. No. 21), to be held at **4:00 p.m.** on **23 March 2007**, before the undersigned United States District Judge, in Courtroom #1 of the Charles R. Jonas Federal Building in Charlotte, North Carolina.

Any out-of-state attorney seeking appointment as "lead counsel" shall take all necessary steps to comply with Local Civil Rule 83.1(B) (regarding *pro hac vice* admission to the bar of this Court) prior to the date of hearing.

Because the complaints in the two cases sought to be consolidated appear to be identical and because the Court is unclear why the filing of a new "Consolidated Complaint" following consolidation would be either necessary or proper, the filing of the instant motion and the setting of this motion for hearing shall NOT be deemed to further delay the deadline of 2 March 2007 currently set for the filing of defendants' responsive pleadings. Likewise, the briefing of any pre-answer motion to dismiss shall proceed without delay as provided in Local Civil Rule 7.1(B).

IT IS SO ORDERED.

Signed: February 28, 2007

A handwritten signature in black ink, reading "Frank D. Whitney", written over a horizontal line.

Frank D. Whitney
United States District Judge

